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TAGS: [PREL](#) [PGOV](#) [PHUM](#) [SOCI](#) [EFIN](#) [AR](#)
SUBJECT: ARGENTINA: AMBASSADOR DISCUSSES TIP AND CORRUPTION
WITH NATIONAL OMBUDSMAN

¶1. (C) Summary: On April 7, the Ambassador met with Argentina's National Ombudsman Dr. Eduardo Mondino. The Ombudsman spoke at length about the independence of his office, which he said has occasionally incurred the rancor of both Kirchner Administrations. His portfolio includes the protection of human rights and other constitutional guarantees, as well as controlling the exercise of public administration functions. The Ambassador and Mondino discussed possible areas for future cooperation, including anti-trafficking in persons and anti-corruption issues. Mondino raised a case he is investigating involving possible corruption related to commissions being charged on government contractual transactions, the proceeds of which are being deposited in a U.S. bank. LegAtt will follow up the case with Mondino given potential sensitivity and will report details in his channels. End Summary.

¶2. (SBU) Background: The National Ombudsman's Office (Defensor del Pueblo de la Nacion) is an independent body linked to Congress that is responsible for the protection of human rights and other constitutional guarantees in Argentina, in addition to controlling the exercise of public administration functions. It also has the authority to receive complaints, investigate, criticize, and appear in court. Mondino is now in his second five-year term as National Ombudsman. He stated that he is willing to both antagonize and work with the Kirchner Administration, noting that more than one Ombudsman's Office report has raised government hackles, such as one on contamination of the Matanza-Riachuelo River Basin or in drawing attention to the health and nutrition crisis being faced by indigenous Argentines in the past month. He also noted that he had offered to serve as mediator in the recent agricultural strike.

Trafficking in Persons

¶3. (SBU) Ambassador expressed his appreciation for the conference on trafficking in persons (TIP) held last fall by the Ombudsman's Office, which included a presentation by an Embassy ICE special agent. Mondino said he was aware that TIP is a key issue for the Embassy. He noted the pending TIP legislation, and discussed the criticism of the bill's differentiation between minors and adults on the issue of consent, an issue which could limit the state's ability to prosecute and convict perpetrators. Ambassador and Mondino affirmed that there is definite potential for dialogue and cooperation on this and other issues.

Agriculture Strikes

¶4. (SBU) In the context of the Ambassador's question on the portfolio of the Ombudsman's Office, Mondino referenced his

offer, which did not come to fruition, to serve as mediator between the GOA and the agricultural sector in the recent strike. Mondino stated bluntly that the crisis evinced the confrontational nature of the Kirchner Administration and the President's dependence on a small inner circle for decision-making. Further, he said it clearly showed the lack of mechanisms for dialogue and negotiation between the GOA and citizens. The Ombudsman indicated that he was willing to leverage his office's independence to act as a mediator and forum for dialogue with the government on agriculture sector concerns and future issues.

Referral to LEGATT

15. (C) Mondino raised a case his office is investigating involving possible systematic commission charges of 15% being required by part of the GOA on private-private contracts with a third country. He explained that his office is currently investigating whether this constituted bribery and/or embezzlement and whether these monies are being held in a U.S bank. The Ambassador offered to have the LegAtt follow up with Mondino to see if there is any assistance the Embassy can provide. Given potential sensitivity and law enforcement aspects of the matter, LegAtt will report details in that channel.

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